

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Andrew Wright on 19 November 2010.

The application has been amended as follows:

In the claims:

In claim 31, line1, --in combination with building boards-- has been inserted before "for connecting and locking".

In claim 31, line 2, --the-- has been inserted before "building boards comprising".

In claim 40, "The device as claimed in claim 31," has been deleted and --A device for connecting and locking building boards comprising a top side and a bottom side, having a core made of wood material and provided with a groove on at least two opposite side edges, comprising an insert intended for locking purposes, which insert can be inserted into the groove of one of the side edges, the board being connected by substantially horizontal displacement one toward the other, wherein the insert is provided with one resilient lip extending upward from a first side edge directed toward the top side of the insert, and another resilient lip extending downward from a second side edge directed toward the bottom side of the insert, and wherein at least one of the

one resilient lip and the another resilient lip compresses toward a center of the insert and then springs back out from the center of the insert when the boards are connected by the substantially horizontal displacement, the insert comprises: a first upward facing surface; a second upward facing surface connected to, and vertically offset from, the first upward facing surface by a first step; a first downward facing surface; a second downward facing surface connected to, and vertically offset from, the first downward facing surface by a second step; the first side edge comprises the second upward facing surface and the first downward facing surface; the second side edge comprises the first upward facing surface and the second downward facing surface; the one resilient lip extends upward from the second upward facing surface, and the another resilient lip extends downward from the second downward facing surface, and wherein when the boards are mutually connected an upper surface of the top side of the insert contacts a lip or tongue of a first one of the boards, and the upper surface of the top side of the insert and the lip or tongue of the first one of the boards are disposed within in the groove of a second one of the boards; and-- has been inserted before "wherein: the first step".

The following is an examiner's statement of reasons for allowance: while searches for prior art have found other devices comprising inserts for boards, wherein the insert comprises a first upward facing surface, a second upward facing surface vertically offset from the first upward facing surface by a first step,

a first downward facing surface, a second downward facing surface vertically offset from the first downward facing surface by a second step, the first side comprising the second upward facing surface and the first downward facing surface, the second side edge comprising the first upward facing surface and the second downward facing surface, one resilient lip extending upward from the second upward facing surface, another resilient lip extending downward from the second downward facing surface, none of the prior art teaches or remotely suggests an insert with in its core at least one cavity at a center of the insert, the insert in combination with boards wherein an upper surface of the top side of the insert contacts a tongue of the first one of the boards and the upper surface of the top side of the insert and the tongue of the first one of the boards are disposed within the groove of a second one of the boards, or the first and second steps comprising first and second straight or vertical walls. For example, Brenneman (US Patent 3,627,362) discloses: a device (20) for or capable of connecting and locking building boards comprising a top side and a bottom side, having a core made of wood material and provided with a groove on at least two opposite side edges, comprising an insert (20) intended for locking purposes, which insert can be inserted into the groove of one of the side edges, the boards being connected by substantially horizontal displacement one toward the other (Fig. 10), herein the insert is provided with one resilient lip (70,108) extending upward from a first side edge directed toward the top side of the insert (Fig. 5,10), and another resilient lip (76,108) extending downward from a second side

edge directed toward the bottom side of the insert (Fig. 5,10), and wherein at least one of the one resilient lip and the another resilient lip compresses toward a center of the insert and then springs back out from the center of the insert when the boards are connected by the substantially horizontal displacement (Fig. 5,10), and: the insert comprises: a first upward facing surface (Fig. 5,10) a second upward facing surface connected to, and vertically offset from, the first upward facing surface by a first step (78,105), a first downward facing surface (Fig. 5,10); a second downward facing surface connected to, and vertically offset from, the first downward facing surface by a second step (other side of 78,105): the first side edge comprises the second upward facing surface and the first downward facing surface; the second side edge comprises the first upward facing surface and the second downward facing surface; the one resilient lip extends upward from the second upward facing surface: and the another resilient lip extends downward from the second downward facing surface (Fig. 5,10). However, Brennan does not disclose an insert with in its core at least one cavity at a center of the insert, the insert in combination with boards wherein an upper surface of the top side of the insert contacts a tongue of the first one of the boards and the upper surface of the top side of the insert and the tongue of the first one of the boards are disposed within the groove of a second one of the boards, or the first and second steps comprising first and second straight or vertical walls. In addition, Brennan cannot be modified to have an insert with a

cavity at its center nor can the vertical offset of Brennan be made to comprise a vertical wall, as this would render Brennan inoperable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ELIZABETH A. PLUMMER whose telephone number is (571)272-2246. The examiner can normally be reached on Monday through Friday, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Glessner can be reached on (571) 272-6754. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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